

# Exhibit “A”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BUILDERS ASSOCIATION OF  
METROPOLITAN PITTSBURGH and  
S. RAND WERRIN,

Plaintiffs,

v.

CITY OF PITTSBURGH

Defendant.

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)  
)  
) Civil Action No. 2:22-CV-00706-  
) RJC  
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**AFFIDAVIT OF SAMUEL RAND WERRIN, D.D.S.**

I, Samuel Rand Werrin, D.D.S., being duly sworn, making this Affidavit on the basis of my personal knowledge and state as follows:

1. I am a resident of Allegheny County and am above the age of 18 years old.
2. I am a property owner with various interests in real properties located at 3504 Fifth Avenue, Pittsburgh, Pennsylvania 15213, Parcel ID: 0028-F-00029-000-00 (hereinafter “3504 Fifth”); 3506 Fifth Avenue, Pittsburgh, Pennsylvania 15213, Parcel ID: 0028-B-00074-000-00 (hereinafter “3506 Fifth”); and 3510 Fifth Avenue, Pittsburgh, Pennsylvania 15213, Parcel ID: 0028-B-00076-000-00 (hereinafter “3510 Fifth”) (3504 Fifth, 3506 Fifth and 3510 Fifth are collectively referred to as the “Werrin Properties”).
3. I am a member of the Builders Association of Metropolitan Pittsburgh (“BAMP”).
4. As an owner of real property in the City of Pittsburgh, I am subject to Pittsburgh City Ordinances 2021-1414 and 2022-0592 (the “Ordinances”).
5. The Werrin Properties are located in the UCE Zoning District and subject to the requirements under the Ordinances.


6. I have made an application to the City of Pittsburgh for the development of one of the Werrin Properties.

7. I was informed that the Ordinances and the UCE Zoning District require 100% affordable units for the development on the property.

8. As a result of this requirement, I cannot develop the property without sustaining financial harm.

9. The financial harm I am sustaining is my inability to sell the property at a market rate.

**FURTHER AFFIANT SAYETH NOT.**

  
Samuel Rand Werrin, D.D.S.

SWORN TO and subscribed to  
Before me this 24<sup>th</sup> day of October 2024

  
Notary Public

My Commission Expires: 7/22/2028

